# TEXAS DESCENT AND DISTRIBUTION

(THE LEGAL EFFECT OF NOT HAVING A WILL)

# A. SEPARATE PROPERTY REAL ESTATE

# CHILDREN TAKE EQUALLY SUBJECT TO LIFE ESTATE CHILDREN SURVIVING SPOUSE'S LIFE ESTATE IN 1/3

# MARRIED PERSON WITH CHILD[REN]

ALL REALTY IS OWNED BY DECEDENT'S CHILD[REN] WHEN SURVIVING SPOUSE DIES.



# B. COMMUNITY PROPERTY REAL ESTATE



### **ONLY APPLIES IF**

ALL SURVIVING CHILD[REN] AND DESCENDANTS OF DECEDENT ARE ALSO CHILD[REN] OR DESCENDANTS OF SURVIVING SPOUSE.

## ALL OTHER PROPERTY

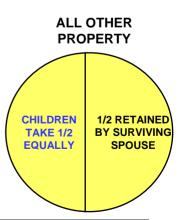


### **B. COMMUNITY PROPERTY**



### ONLY APPLIES IF

THERE ARE CHILDREN FROM OUTSIDE OF THE EXISTING MARRIAGE ON THE DATE OF DEATH OF THE DECEASED. CHILD[REN] OF DECEASED CHILD[REN] TAKE THEIR PARENT'S SHARE SUBJECT TO ADVANCEMENTS.



COMPLIMENTS OF

JUDGE RUSSELL AUSTIN

HARRIS COUNTY PROBATE COURT 1

# SINGLE OR WIDOWED PERSON WITH NO CHILD[REN]

# FATHER AND MOTHER SURVIVING ONLY



PARENT AND SIBLINGS
SURVIVE

1/2
FATHER
OR
MOTHER
S AND
SISTERS

ENTIRE ESTATE GOES TO PARENT IF NO SIBLINGS OR THEIR DESCENDANTS SURVIVE DECEDENT.

### **REAL ESTATE**



### WIDOW[ER] WITH CHILD[REN]

ANY CHILD[REN] TAKE THEIR SHARE SUBJECT TO ADVANCEMENTS.

### **ALL OTHER PROPERTY**



### A. SEPARATE PROPERTY

### **REAL ESTATE**

### 1. PARENTS SURVIVE



# MARRIED PERSON WITH NO CHILD[REN]

### 4. NO SURVIVING PARENT



### **ALL OTHER PROPERTY**



### 2. ONE PARENT SURVIVES



### 5. NO SIBLINGS [DESCENDANTS] OR PARENTS



### 3. NO SIBLINGS OR THEIR DESCENDANTS



### B. COMMUNITY PROPERTY: ALL REAL AND PERSONAL PROPERTY IS TAKEN BY SURVIVING SPOUSE